

# BOARD OF ADJUSTMENT

Notice of Public Meeting  
City Council Chambers, City Hall  
10 West State Street, Marshalltown IA

Board of Adjustment

Tue, Aug 17, 2021 5:00 PM - 6:00 PM (CDT)

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1. Call To Order & Roll Call

Engle  
Schulze  
Starks  
Thurston  
Wenner

2. Minutes From June 22 Meeting

Documents:

[BOARD OF ADJUSTMENT MIN 06222021.PDF](#)

3. Home Occupation Special Use Permit- Hair Place

Documents:

[HOME OCCUPATION HAIR PLACE.PDF](#)  
[8172021\\_BOA\\_MEMO\\_2503 W MAIN ST.PDF](#)  
[IMG\\_5914.PDF](#)

**MISSION STATEMENT**

**The City of Marshalltown collaborates to provide a welcoming, safe, vibrant, and growing community.**

## **Board of Adjustment**

Meeting Minutes – June 22<sup>nd</sup>, 2021

Meeting was called to order at 5:00 PM in the City Council Chambers at 10 W. State Street

### **1. Roll Call:**

Present: Engle, Schulze, Starks, Thurston, and Wenner

Absent:

### **2) Meeting Minutes From 9/15/20**

Starks motion to approve

Thurston seconded

All approve and accept minutes

### **3) Special Use Permit: 502 N 12<sup>th</sup> Ave**

Staff: Background

Heather Thomas (CGA): Change from the concept, reducing from 320 to 220 spots.

Schulze: Buffer to the south?

Thomas: There is an extra 8' of separation due to the reduction of parking spots.

Wenner: Addressing rain water run off?

Thomas: Yes, that is the reason for the reduction from the original concept.

Schulze: Modifications?

Thomas: The concept was a dream, it has changed since then. Took out 2.5 rows of parking. 8' green buffer on the east side.

Schulze: Buffer on the south side? Demo of the old building

Thomas: Yes, permit obtained February 2020

Schulze: Nothing left?

Thomas: Visual observation, nothing left?

Schulze: Any other questions?

Starks: Motion to approve

Schulze: 2<sup>nd</sup>

All members voted in favor.

With no further business, the meeting adjourned 5:13 PM.

Meeting minutes prepared by,

Caleb Knutson

City Planner

## Home Occupation Registration Form

City of Marshalltown, 36 North Center Street, Marshalltown, IA 50158  
 Phone: 641-754-5756; Fax: 641-754-5742 Email: cknutson@marshalltown-ia.gov

*This form must be complete or the application cannot be accepted.*

Applicant Name: <i>Wendi Dutton</i>	Business Name: <i>HAIR Place</i>
Address: <i>2503 W. Main St.</i>	<i>previous</i> <i>102 Highland Acres Rd</i>
Phone: <i>641-352-0010</i>	Email: <i>wsdeeter@yahoo.com</i>

**Please describe your home occupation (attach additional information if necessary).**

*Hair salon - 1 styling chair  
 perform styling duties.  
 self employed.*

**Please check the appropriate category for your home occupation:**

- |  |   |
|--|---|
| <input type="checkbox"/> Office facilities for accountant, architect, engineer, lawyer, clergyman, or other similar professional occupations.<br><input type="checkbox"/> Office facilities for telecommuters, salesmen, sales representatives, manufacturer's representatives, and other similar trades or occupations<br><input type="checkbox"/> Home sewing or tailoring.<br><input type="checkbox"/> Studio for an artist, photographer, writer, or composer. | <input type="checkbox"/> Telephone answering.<br><input type="checkbox"/> Catering, home-cooking and preserving for the purpose of selling the product.<br><input type="checkbox"/> Tutoring or giving lessons, limited to four students simultaneously.<br><input type="checkbox"/> Day care homes.<br>(List the number of permitted Children: _____)<br><input checked="" type="checkbox"/> None of the above, Special Use permit required.<br><input type="checkbox"/> None of the above, use "grandfathered". |
|--|---|

**The following home occupations are prohibited:** Animal hospitals, private clubs, restaurants, stables and kennels, automobile repair or auto body shops (More than 2 vehicles per year which are not registered at the residence and are rebuilt, repaired, or reconstructed shall constitute an automobile repair or auto body shop), automobile paint shops, any occupation which is considered illegal by law, and any use which does not meet the Home occupation regulations.

**Home Occupation Regulations**

a) **Appearance.** That in connection with which there is no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling, with the exception of one home occupation sign defined in section c) below.

Initial that you understand this appearance requirement: WD

b) **Design.** That the building shall include no features of design not customary for residential use; That the building or premises occupied shall not be rendered objectionable or detrimental to the residential character of the neighborhood due to exterior appearance or by the emission of dust, gas, noise, odor, or smoke, or in any other way.

Initial that you understand this design requirement: WD

c) **Signs.** Any sign utilized by a home occupation in an "R" (residential zoning) district shall be limited to one building mounted sign which shall not exceed one square foot in area.

Attach a photo or drawing of the home occupation sign to be used showing all dimensions and where it will be mounted. Initial that you understand this design requirement: WD

- d) **Equipment.** Any merchandise or stock in trade sold, repaired or displayed shall be stored entirely within the residential structure or in an accessory building.

Are any dangerous materials stored? \_\_\_\_\_ Yes  No  
If yes, please list the materials: \_\_\_\_\_

- e) **Employment.** On-site employees must be members of the immediate family residing on the premises. Additional employees may be permitted as required by law or may be permitted through the Home Occupation Special Use Permit process by the Board of Adjustment.

How many people are employed? self only  
How many employees are not members of the immediate family residing on the premises? 0  
List all employees: 0

- f) **Traffic and Parking.** Traffic generated by the home occupation shall not be objectionable to the neighboring residents. Off-street parking shall be adequate to accommodate the parking demand generated by the home occupation.

How many visits per day are made to your business? 2-3  
How many parking spaces are available? 2-3

- g) **Structural modifications.** Structural modifications or additions to the residence for the expansion of a home occupation is prohibited.

Initial that you understand this requirement: WD

- h) **Non-compliance.** Any home-occupation which does not abide by the terms of this section shall be punishable under the Violation and Penalty section of the zoning ordinance. Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this Ordinance shall, upon conviction, be fined not more than one hundred (\$100.00) dollars for each offense. After a written notice of such violation, each day that the violation is permitted to exist beyond the expiration of the time designated on said notice, shall constitute a separate offense.

- Please attach Please read the attached Section 156.025-Home Occupations excerpt from the Zoning Ordinance.
- A photo of the residence and site map showing parking.
- This home occupation permit does NOT continue with the land and is NOT transferable.
- Any changes to the operation of the home occupation requires a re-registration.
- \$50 Application Fee

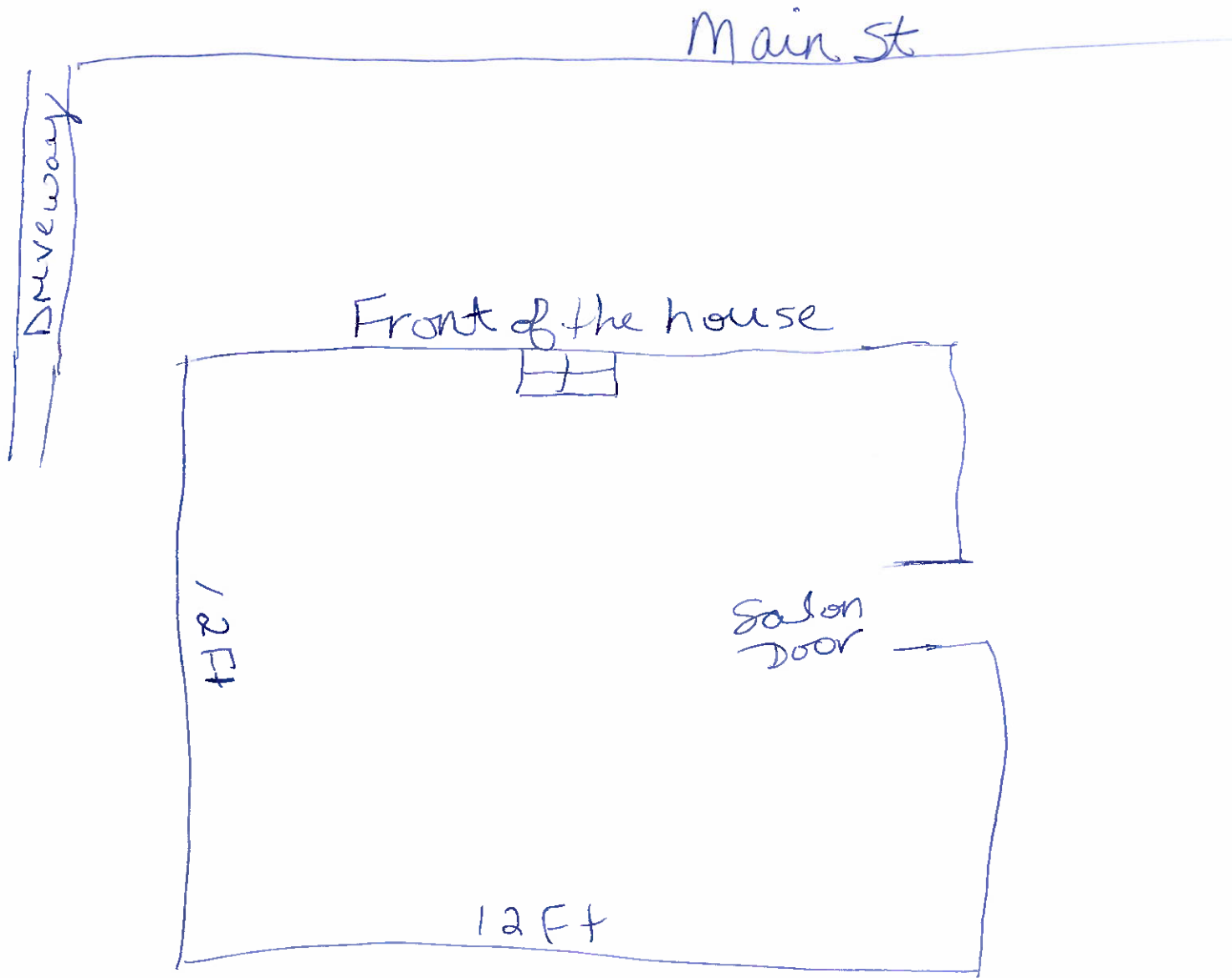
Agreement: I hereby state I have received, have read and understand the terms of the home occupation section of the Zoning Ordinance. I agree to comply with the ordinance.

Signature of applicant: Wendy Dutton Date: 7-19-21

- Home Occupation permitted  
 Home Occupation grandfathered (Legal non-conforming)  
 Special Use permit granted on \_\_\_\_\_

\_\_\_\_\_  
City Planner, City of Marshalltown

\_\_\_\_\_  
Date



\* Salon will be on the corner of the south/west side of the house.

# MARSHALLTOWN

— I O W A —

TO: Board of Adjustment  
FROM: Caleb Knutson, City Planner  
DATE: August 17<sup>th</sup> – Meeting Date

**2503 W Main St**  
**FROM: Hair Place**  
**SUBJECT: Special Use Permit**

The owner of in-home salon Hair Place has moved to 2503 W Main St, which is zoned R-2. In order to continue to operate her in-home salon a Home Occupation Special Use Permit is required. Home Occupations are not transferrable from location to location. Wendi Deeter was previously granted a Home Occupation Special Use Permit for this same business at 102 Highland Acres RD. The City of Marshalltown never once received a single complaint.

**Recommendation:** The Board of Adjustment may consider the request and place conditions on the application as determined to be necessary. I have not received any comments or concerns.

